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HONORABLE SALVADOR  
MENDOZA JR.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
AT SPOKANE

ANDREW M. RICHMOND, a  
Washington Resident,  
  
Plaintiff,

No. 2:21-cv-00129-SMJ

**DEFENDANT'S TRIAL WITNESS  
AND EXHIBIT LISTS**

v.

SPOKANE COUNTY,  
WASHINGTON, a Washington State  
County,  
  
Defendant.

Pursuant to the Court's original Scheduling Order (ECF No. 13) and the Amended Scheduling Order (ECF No. 70), Defendant Spokane County ("Defendant"), by and through its counsel of record, identifies the following witnesses and exhibits for use at trial in the above-captioned lawsuit.

**FACT WITNESSES**

Defendant hereby discloses the following fact witnesses who may be called to testify on its behalf.

**A. Deputy Krystal Bitzer**

Ms. Bitzer is a deputy in the Spokane County Sheriff's Office. She may testify regarding the Air Support Unit selection process and interactions with Plaintiff and

1 Jeffrey Thurman. At this time, Defendant is not aware of any scheduling conflicts for  
2 Deputy Bitzer during the currently scheduled trial dates.

3 **B. Sergeant Pat Bloomer**

4 Mr. Bloomer is a Sergeant in the Spokane County Sheriff's Office. He may  
5 testify regarding the ASU selection process and interactions with Plaintiff. At this time,  
6 Defendant is not aware of any scheduling conflicts for Sergeant Bloomer during the  
7 currently scheduled trial dates.

8 **C. Lieutenant Andrew Buell**

9 Mr. Buell is a Lieutenant with the Spokane County Sheriff's Office. He may  
10 testify regarding Plaintiff's reporting of improper conduct by Jeffrey Thurman and his  
11 experiences working with Plaintiff. He may also testify regarding his recommendation  
12 of Plaintiff for the Safe Streets Task Force. At this time, Defendant is not aware of any  
13 scheduling conflicts for Lieutenant Buell during the currently scheduled trial dates.

14 **D. Sgt. Justin Elliot**

15 Mr. Elliot is a Sergeant with the Spokane County Sheriff's Office. He may testify  
16 regarding Plaintiff's reporting improper conduct by Jeffrey Thurman and his  
17 experiences working with Plaintiff. Sergeant Elliott is not available October 12-14  
18 because he is instructing a class outside the Spokane area, but is otherwise available  
19 during the currently scheduled trial dates.

20 **E. Tim Hines**

21 Mr. Hines is a former Sergeant with Spokane County Sheriff's Office. He may  
22 testify regarding the internal affairs investigation performed regarding Plaintiff's  
23 allegations and interactions he had with Plaintiff. Sergeant Hines is currently scheduled  
24 to be out of the state from October 11-18, but is otherwise available during the currently  
25 scheduled trial dates.

1           **F. Sheriff Ozzie Knezovich**

2           Sheriff Knezovich may testify regarding Plaintiff's claims, including but not  
3 limited to, his review of the internal affairs investigation, his findings related to the  
4 investigation, and his supervision of Plaintiff and the Spokane County Sheriff's Office  
5 as a whole. At this time, Defendant is not aware of any scheduling conflicts for Sheriff  
6 Knezovich during the currently scheduled trial dates.

7           **G. Undersheriff Michael Kittilstved**

8           Mr. Kittilstved is an Undersheriff in the Spokane County Sheriff's Office. He  
9 was involved in selection process for the Safe Streets Task Force and may testify about  
10 the position offered to Plaintiff and his interactions with Plaintiff. At this time,  
11 Defendant is not aware of any scheduling conflicts for Undersheriff Kittilstved during  
12 the currently scheduled trial dates.

13           **H. Deputy Daniel Knight**

14           Mr. Knight is a Deputy in the Spokane County Sheriff's Office. He may testify  
15 regarding the ASU selection process for the position Plaintiff applied for. At this time,  
16 Defendant is not aware of any scheduling conflicts for Deputy Knight during the  
17 currently scheduled trial dates.

18           **I. Matthew Lyons**

19           Mr. Lyons is a former Inspector at the Spokane County Sheriff's Office. He may  
20 testify regarding the internal affairs investigation, his observations of and interactions  
21 with Plaintiff and Jeffrey Thurman, and the allegations of discrimination and retaliation  
22 by Plaintiff. At this time, Defendant is not aware of any scheduling conflicts for Mr.  
23 Lyons during the currently scheduled trial dates.

24           **J. Undersheriff John Nowels**

25           Mr. Nowels is an Undersheriff with the Spokane County Sheriff's Office. He  
26 may testify regarding the internal affairs investigation, practices of the Spokane County  
27 Sheriff's Office, and his interactions with Plaintiff. Undersheriff Nowels is scheduled

1 to be out of town at a conference from October 14-19, but is otherwise available during  
2 the currently scheduled trial dates.

3 **K.** Asst. Chief Kevin Richey

4 Mr. Richey is the Assistant Chief for the Spokane Valley Police Department and  
5 the former President of the DSA. He may be asked to testify regarding Plaintiff's  
6 reporting improper conduct by Jeffrey Thurman and alleged discrimination in the ASU  
7 selection process, the internal affairs investigation, his interactions with Plaintiff, and  
8 his involvement in the union. Assistant Chief Richey is scheduled out of town between  
9 October 15-19, but is otherwise available during the currently scheduled trial dates.

10 **L.** Andrew Richmond

11 Mr. Richmond is the plaintiff in this matter.

12 **M.** Damon Simmons

13 Mr. Simmons is a former Sergeant with the Spokane County Sheriff's Office.  
14 He may testify regarding Plaintiff's reporting improper conduct by Jeffrey Thurman  
15 and about his interactions with Plaintiff. At this time, Defendant is not aware of any  
16 scheduling conflicts for Mr. Simmons during the currently scheduled trial dates.

17 **N.** Sergeant Randy Watts

18 Mr. Watts is a Sergeant with the Spokane County Sheriff's Office. He may  
19 testify regarding information provided to him by Plaintiff and his observations of both  
20 Andrew Richmond and Jeffrey Thurman. At this time, Defendant is not aware of any  
21 scheduling conflicts for Sergeant Watts during the currently scheduled trial dates.

22 **O.** Mark Werner

23 Mr. Werner is a former Undersheriff with the Spokane County Sheriff's Office.  
24 He may testify regarding his observations of and interactions with both Plaintiff and  
25 Jeffrey Thurman and Plaintiff's allegations of discrimination and retaliation. At this  
26 time, Defendant is not aware of any scheduling conflicts for Mr. Werner during the  
27 currently scheduled trial dates.

1 **EXPERT WITNESSES**

2 Defendant hereby discloses the following expert witnesses who may be called  
3 to testify on its behalf.

4 **A. Arik Van Zandt**

5 Mr. Van Zandt, may be called upon to testify about Plaintiff's alleged economic  
6 damages and offer rebuttal testimony to Plaintiff's economic expert, Erick West. Mr.  
7 Van Zandt's opinions are outlined in his expert report. Mr. Van Zandt is not available  
8 October 19, but is otherwise available for the currently scheduled trial dates.

9 **B. Jennifer Van Wey, Psy.D.**

10 Dr. Van Wey may be called upon to testify about Plaintiff's alleged non-  
11 economic damages regarding emotional distress and related damages and offer rebuttal  
12 testimony to any testimony proffered by Plaintiff on this subject. Dr. Van Wey does  
13 not have any scheduling conflicts with the currently scheduled trial dates.

14 Defendant reserves the right to call any of the fact and/or expert witnesses listed  
15 by Plaintiff. Defendant also reserves the right to supplement this list with rebuttal  
16 witnesses whose necessity and/or testimony cannot be reasonably foreseen at this time.

17 **TRIAL EXHIBITS**

18 Defendant identifies the following exhibits which may be offered at trial. The  
19 County reserves the right to amend this list, to add additional exhibits, to withdraw  
20 exhibits, and/or to offer rebuttal exhibits or exhibits identified by Plaintiff. Defendant  
21 may also utilize demonstrative exhibits, impeachment exhibits, or exhibits used to  
22 refresh witness recollection. Those exhibits have not been identified here since they  
23 cannot reasonably be anticipated at this time.

<b>Exhibit No.</b>	<b>Bates No.</b>	<b>Date</b>	<b>Description</b>
501	SC_Richmond_048675- SC_Richmond_048676	2017-03-20	Sheriff's Office Policy Acknowledgement Certificate, signed by Richmond, Andrew on 03-20-2017 and 03-14-2017
502	SC_Richmond_048303- SC_Richmond_048308	2018-01-15	Request for Specialty Team Assignment or Position Transfer by Richmond, Andrew, approved 01-15-2018
503	KPD 000056-KPD 000060	2018-10-10	Email from Richmond, Andrew to Lenkersdorfer, Tausha re Application to City of Kennewick - Redacted
504	SC_Richmond_049312- SC_Richmond_049354	2018-12-11	Resolution, Board of Commissioners of Spokane County, Washington, No. 18-0940 and Collective Bargaining Agreement
505	None	2019-12-00	IRS Wage and Income Transcript, December 2019 for Richmond, Andrew <sup>1</sup>
506	Richmond002065-2079	2019-00-00	2019 Tax Return -Redacted
507	SC_Richmond_039140- SC_Richmond_039144	2019-03-14	Spokane County Sheriff's Office Policy Manual, Policy 328 - Discriminatory Harassment
508	SC_Richmond_039171- SC_Richmond_039182	2019-03-14	Spokane County Sheriff's Office Policy Manual, Policy 340 - Standards of Conduct
509	SC_Richmond_039549- 39557	2019-03-14	Spokane County Sheriff's Office Policy Manual, Policy 1020 - Personnel Complaints

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<sup>1</sup> Defendants will redact PII from this document but are awaiting a version from Plaintiff that is not locked so that it can be redacted.

510	None	2019-03-31	City of Spokane Employment Application of Richmond Andrew - Redacted
511	None	2019-04-05	Email from Richmond, Andrew to Heath, Tisha attaching Training and Experience form - Redacted
512	SC_Richmond_041878- SC_Richmond_041881	2019-04-29	Spokane County Sheriff's Office Policy Manual, Policy 1004 - Promotional, Specialized Assignment and Transfer Policy
513	SC_Richmond_041885- SC_Richmond_041887	2019-04-29	Spokane County Sheriff's Office Policy Manual, Policy 1008 - Anti-Retaliation
514	SC_Richmond_048094- SC_Richmond_048117	2019-05-08	Transcript of Interview of Deputy Richmond, Andrew IA #2019-0014
515	SC_Richmond_063185	2019-05-08	Audio Recording of Interview of Deputy Richmond, Andrew IA #2019-0014
516	SC_Richmond_048436- SC_Richmond_048437	2019-05-08	Member Complaint Notification to Thurman, Jeff re IA #2019-0014
517	SC_Richmond_048438	2019-05-08	Rights/Responsibilities of Members to Thurman re IA #2019-0014
518	SC_Richmond_048439	2019-05-08	Memo from Undersheriff, Nowels to Thurman, Jeff re Paid Administrative Leave Information and Guidelines
519	SC_Richmond_049186	2019-05-10	Email from Nowels, John to All Commissioned Staff re Thurman Administrative Leave
520	SC_Richmond_048406- SC_Richmond_048419	2019-05-21	Transcript of Interview of Richmond, Andrew, IA #2019-0014

521	SC_Richmond_063180	2019-05-21	Audio Recording of Interview of Deputy Richmond, Andrew IA #2019-0014
522	SC_Richmond_063177	2019-05-21	Video Recording of Interview of Deputy Richmond, Andrew IA #2019-0014
523	SC_Richmond_048440	2019-05-29	Amended Member Complaint Notification to Thurman, Jeff from Sergeant Hines re IA #2019-0014
524	SC_Richmond_054720- SC_Richmond_054721	2019-06-00	Job Description for SSTF Investigator
525	SC_Richmond_054620- SC_Richmond_54624	2019-06-00	Richmond, Andrew letter to Kittilstved, Mike re application to Safe Streets Task Force
526	SC_Richmond_048499- SC_Richmond_048503	2019-06-03	Compelled Administrative Report, Sergeant Thurman, Jeffrey, I.A., # 2019-0014
527	None	2019-06-05	CAD History Excerpt for Richmond, Andrew 6-5-19 through 8-10-19
528	SC_Richmond_048007- SC_Richmond_048032	2019-06-07	Investigative Report of Sergeant Hines, Tim, IA No. 2019-0014
529	SC_Richmond_049184- SC_Richmond_049185	2019-06-13	Memorandum from Knezovich, Ozzie re Posting of Disciplinary Action
530	SC_Richmond_049197- SC_Richmond_049202	2019-06-13	Demotion and Termination letter from Sheriff Knezovich, Ozzie to Sergeant Thurman, Jeff, Case Finding Notice
531	SC_Richmond_054625	2019-06-21	Email from Kittilstved, Mike to Richmond, Andrew re Availability for SSTF Interviews
532	Richmond_048669	2019-07-29	Resignation Letter from Richmond, Andrew to Knezovich, Ozzie



533	SC_Richmond_048532- SC_Richmond_048534	2019-08-07	Administrative Report of Lieutenant Jones, Stephen, I.A. # 2019-0023
534	Richmond002101	2019-08-07	City of Spokane hiring letter to Richmond, Andrew
535	None	2020-12-00	IRS Wage and Income Transcript, December 2020 for Richmond, Andrew <sup>2</sup>
536	SC_Richmond_048985- 48987	2020-04-06	EEOC Charge of Discrimination by Richmond, Andrew - Redacted
537	None	2022-06-22	City of Spokane Statement of Compliance with Records Request
538	Richmond002097-2099	2019-12- 20; 2020- 12-31; 2021-12-03	City of Spokane Pay Stubs for Richmond, Andrew
539	Richmond002092- Richmond002096	0000-00-00	Background of Richmond, Andrew
540	SC-Richmond_049629- 49630	0000-00-00	Richmond Shift Bids
541	SC_Richmond_056229	0000-00-00	Spokane County Deputy Overtime Data 2018-2021
542	SC_Richmond_056576	0000-00-00	City of Spokane Overtime Data and public records request documentation
543	Richmond002102	0000-00-00	Washington State Department of Retirement Systems, Service Credit Detail for Richmond, Andrew

<sup>2</sup> Defendants will redact PII from this document but are awaiting a version from Plaintiff that is not locked so that it can be redacted.

544	MVHS 000056-MVHS 000059	1/30/2017	Rockwood Integrated Sports Medicine Visit Notes- Redacted
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DATED: August 5, 2022

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